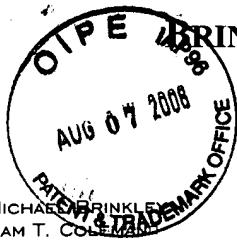


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- ++ BOARD CERTIFIED MARITAL AND FAMILY LAWYER
- ** REGISTERED PATENT ATTORNEY
- ◇ BOARD CERTIFIED CITY, COUNTY & LOCAL GOVERNMENT LAWYER
- BOARD CERTIFIED TAX LAWYER

August 3, 2006

Via First Class Mail

Mr. Vincent Stuart
Technical Center Others
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Re: RESERVE POWER CELL, LLC
Patent Application Entitled: **Multiple Battery System and Auxiliary Battery Attachment System**; Serial No. 10/604,703; Deposit Account No. 50-1111
Our File No. 013476-05187

Dear Mr. Stuart:

This letter is in furtherance of your letter dated July 27, 2006 informing us that the refund request for the above-referenced patent application was denied. Further to the November 23, 2005 submission in support of Request for Continued Examination claims 1-36 and 63-87 were inadvertently listed as withdrawn claims which were supposed to be listed as cancelled claims. Upon reviewing the Image File Wrapper from the U.S. Patent and Trademark Office ("PTO") website, we noticed that in accordance to the Claims Worksheet (PTO -2022) dated December 1, 2005 (a copy of which is enclosed), the PTO counted Claims 1-36 and 63-87 as being pending claims. These claims were already cancelled in response to the restriction requirement dated July 12, 2004. Furthermore, a Notice of Non-Compliance issued on January 25, 2006 indicating that claims 1-36 and 63-87 were improperly listed as withdrawn when they were previously cancelled. Therefore, a response was submitted on January 27, 2006 amending the claims accordingly such that claims 1-87 were correctly indicated as cancelled and claims 88-105 were indicated as "new" or added. Therefore, claims 88-105 constitute eighteen claims which remain pending in the above-referenced application, three of which are independent. These claims are covered by Applicant's original payment to examine eighty-seven (87) claims, of which four (4) were independent.

Mr. Vincent Stuart
August 3, 2006
Page 2

I am also enclosing a copy of the Claims Worksheet (PTO – 2022) and the Fee Worksheet (PTO-475) dated June 15, 2006, which indicates the total number of pending claims (eighteen) and that no additional fee is required. We are requesting a refund in connection with the above-referenced patent application. The charges were charged in error by the U.S. Patent and Trademark Office (“PTO”).

In view of the above and the enclosed PTO worksheets, kindly refund the charge of 200.00 into our Deposit Account No. 50-1111.

If you have any questions, please feel free to contact me.

Very truly yours,


Daniel C. Crilly

DCC:cm

Enclosures

G:\WPFILES\CLIENTS\RESERVE POWER CELL\05187-PAT-MULT BATTERY SYSTEM (NO. 737)\REFUND-CLAIMS-PTO2.DOC
8/3/06

1062

CLAIMS ONLY						Application Number: 10/604,703		Filing Date:		
12-05						Applicant(s):				
CLAIMS	AS FILED		AFTER FIRST AMENDMENT		AFTER SECOND AMENDMENT		* May be used for additional claims or amendments			
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CLAIMS ONLY							Application Number: 10/604,703		Filing Date:		
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CLAIMS	AS FILED		AFTER FIRST AMENDMENT		AFTER SECOND AMENDMENT		* May be used for additional claims or amendments				
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KCT filed 11/20/03

Approved for use through 7/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD					Application or Docket Number 10/004,703	
Substitute for Form PTO-875						
APPLICATION AS FILED - PART I						
(Column 1)		(Column 2)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY
FOR	NUMBER FILED	NUMBER EXTRA		RATE (\$)	FEE (\$)	
BASIC FEE (37 CFR 1.18(a), (b), or (c))						
SEARCH FEE (37 CFR 1.18(a), (f), or (m))						
EXAMINATION FEE (37 CFR 1.18(a), (p), or (q))						
TOTAL CLAIMS (37 CFR 1.18(f))		minus 20 =		X =		OR X =
INDEPENDENT CLAIMS (37 CFR 1.18(h))		minus 3 =		X =		OR X =
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).					
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.18(j))						
* If the difference in column 1 is less than zero, enter "0" in column 2.				TOTAL		TOTAL
APPLICATION AS AMENDED - PART II						
(Column 1)		(Column 2)		(Column 3)		
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		
	Total (37 CFR 1.16(f))	79	Minus	87	=	
	Independent (37 CFR 1.16(a))	6	Minus	4	= 2	
	Application Size Fee (37 CFR 1.16(s))					
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					
(Column 1)		(Column 2)		(Column 3)		
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		
	Total (37 CFR 1.16(f))		Minus		=	
	Independent (37 CFR 1.16(a))		Minus		=	
	Application Size Fee (37 CFR 1.16(s))					
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					
(Column 1)		(Column 2)		(Column 3)		
SMALL ENTITY		OR		OTHER THAN SMALL ENTITY		
RATE (\$)	ADDITIONAL FEE (\$)	RATE (\$)	ADDITIONAL FEE (\$)	RATE (\$)	ADDITIONAL FEE (\$)	
85		OR	50			
100	1200	OR	200			
180		OR	300			
TOTAL ADD'L FEE	101	OR	TOTAL ADD'L FEE			
(Column 1)		(Column 2)		(Column 3)		
SMALL ENTITY		OR		OTHER THAN SMALL ENTITY		
RATE (\$)	ADDITIONAL FEE (\$)	RATE (\$)	ADDITIONAL FEE (\$)	RATE (\$)	ADDITIONAL FEE (\$)	
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X		OR	X			
TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE			

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

United States Patent and Trademark Office
- Sales Receipt -

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CLAIMS	AS FILED		AFTER FIRST AMENDMENT		AFTER SECOND AMENDMENT	
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Total Indep	1	2	3	3	3	3
Total Depend		3	15	15	15	15
Total Claims		5	18	18	18	18

PATENT APPLICATION FEE DETERMINATION RECORD

Effective December 8, 2004

10/604703

CLAIMS AS FILED - PART I

	(Column 1)	(Column 2)
TOTAL CLAIMS		
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	minus 20 =	*
INDEPENDENT CLAIMS	minus 3 =	*
MULTIPLE DEPENDENT CLAIM PRESENT <input type="checkbox"/>		

* If the difference in column 1 is less than zero, enter "0" in column 2

CLAIMS AS AMENDED - PART II

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
9/28/06			
Total	18	Minus	87
Independent	3	Minus	4
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

6/15/06

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	18	Minus	87
Independent	3	Minus	4
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

	(Column 1)	(Column 2)	(Column 3)
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	*	Minus	**
Independent	*	Minus	***
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."

*** The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

SMALL ENTITY TYPE ☐

OR OTHER THAN SMALL ENTITY

RATE	FEE	OR	RATE	FEE
BASIC FEE			BASIC FEE	
X\$ 25=			X\$50=	
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+180=			+360=	
TOTAL			TOTAL	

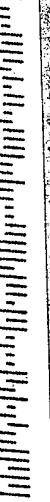
SMALL ENTITY OR

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RATE	ADDITIONAL FEE	OR	RATE	ADDITIONAL FEE
X\$ 25=			X\$50=	
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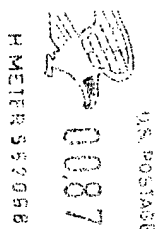
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ST
7c27

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Technical Center Others
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